

**BEFORE THE UNITED STATES HOUSE OR REPRESENTATIVES
COMMITTEE ON ETHICS**

**United States House of Representatives, Committee on Ethics
vs.
Sheila Cherfilus-McCormick for Congress, Inc.**

**RESPONSE OF REP. SHEILA CHERFILUS MCCORMICK, MOTION TO DISMISS, AND
MOTION TO STAY**

Now comes Representative Sheila Cherfilus-McCormick through the undersigned motion. This motion seeks three phases of relief. First, the motion provides an Answer to the Committee on Ethics, Investigative Subcommittee. Second, the motion requests dismissal of the pending Committee on Ethics Investigation initiated in June 2025. Third, pending the outcome of a pending U.S. Department of Justice criminal investigation and matter filed in the Southern District of Florida, the motion requests a stay of all proceedings, for both the Investigative Subcommittee and the Adjudicatory Subcommittee, should one be formed.

I. RESPONSE

Representative Cherfilus-McCormick disputes and refutes the allegations and report of the Ethics Committee's Investigative Subcommittee issued on December 16, 2025. Due to a pending criminal matter brought by the United States Department of Justice (DOJ), filing a Motion to Dismiss the Proceedings and a Motion to Stay any further proceedings until the criminal matter is resolved.

II. MOTION TO DISMISS PROCEEDING

Representative Sheila Cherfilus-McCormick, through undersigned counsel, respectfully moves the Committee on Ethics to dismiss all proceedings in this matter as there have been no substantiated grounds proving conclusive violation of the United States House of Representative Rules.

III. MOTION TO STAY PROCEEDINGS

Representative Sheila Cherfilus-McCormick, through undersigned counsel, respectfully moves the Committee on Ethics to stay all proceedings in this matter pending the resolution of the related criminal investigation and indictment brought by the United States Department of Justice (DOJ). A stay is required under established Committee precedent, the guidance in the House Ethics Manual, and the Committee's long standing practice of deferring proceedings when parallel DOJ actions involve similar facts and legal issues.

Further, Representative Cherfilus-McCormick wants to fully participate in the Committee's proceedings, but cannot do so while the DOJ criminal matter is pending. To participate while the DOJ matter is pending would be jeopardizing Representative Cherfilus-McCormick's Constitutional rights. Therefore, the only just and equitable outcome that is consistent with the Committee's Rules and practice is to stay the current investigation until the DOJ matter is resolved.

IV. BACKGROUND

On July 25, 2025, the Committee initiated proceedings regarding allegations that overlap substantially with an ongoing federal criminal investigation. After opening the matter, the Committee issued multiple requests for documents and testimony related to Representative Cherfilus-McCormick's campaign for federal office and other topics.

On November 19, 2025, the United States Attorney's Office for the Southern District of Florida issued an indictment relating to the same or similar facts as the Committee on Ethics investigation. The Committee's inquiry and the DOJ case focus on overlapping issues, and participation in Committee processes, including testimony or document production. Per the House Ethics Manual, page 18, the Committee should stay all future proceedings in this investigation until the DOJ matter is resolved. To not do so, would risk compromising Representative Cherfilus-McCormick's constitutional rights in the criminal proceedings.

V. THE COMMITTEE'S LONG-STANDING PRACTICE REQUIRES DEFERRAL WHEN USDOJ PROCEEDINGS ARE ONGOING

The House Ethics Manual, page 18, explains that the Committee may defer matters when there is a parallel criminal investigation to avoid interfering with the Department of Justice and to safeguard a Member's constitutional rights. This reflects the Committee's long standing institutional practice. House Ethics Manual, Committee on Ethics (Dec. 2022).

The Committee's prior precedent also supports the House Ethics Manual in staying any further proceedings. In the past, the Committee has repeatedly stayed or deferred proceedings in circumstances where DOJ investigations were ongoing and implicated substantially the same facts. There are three examples of the Committee staying all further proceedings until the resolution of any criminal matters.

1. Representative Matt Gaetz.

The Committee initiated a review in 2021 and deferred its consideration of the matter in response to a DOJ request, and later resumed its investigation only after DOJ withdrew that request in 2023. <https://ethics.house.gov/press-releases/statement-regarding-the-matter-of-representative-matt-gaetz/>

2. Representative Ross Spano.

The Committee unanimously voted to defer consideration in November 2019 after DOJ requested deferral. <https://ethics.house.gov/press-releases/statement-chairman-and-ranking-member-committee-ethics-regarding-representative-17/>

3. Representative Duncan Hunter.

Following Representative Hunter's federal indictment in 2018, the Committee recommended that its Investigative Subcommittee defer all action on matters within DOJ's jurisdiction. <https://ethics.house.gov/press-releases/statement-chairman-and-ranking-member-committee-ethics-regarding-representative-9-2/>

VI. APPLICATION OF COMMITTEE PRECEDENT TO THE PRESENT MATTER

The circumstances here are directly in line with the Committee's established precedent. The allegations before the Committee overlap with the facts identified in the DOJ indictment. Without a stay, Representative Cherfilus-McCormick would be forced to choose between participating in the Committee process and protecting her Fifth Amendment rights in the criminal matter. This is precisely the scenario in which the Committee has previously deferred its work in order to preserve the integrity of both proceedings. Further, the Committee can stay its proceedings because the DOJ matter is moving expeditiously and should conclude in the near-term.

VII. REQUEST FOR RELIEF

Representative Sheila Cherfilus-McCormick respectfully requests that the Committee:

1. Dismiss all proceedings of the Committee on Ethics and any Investigative Subcommittee or Adjudicatory Subcommittee.
2. If not dismissed, then stay all Committee and Subcommittee proceedings in this matter until the DOJ criminal case is fully resolved.
3. Suspend all deadlines, including those for production of documents, testimony, and Committee appearances, until the stay is lifted.

Respectfully submitted on 20th of January 2026

Counsel for Representative Sheila Cherfilus-McCormick

/s/ **D. Michael Stroud, Jr.**

(Digitally Signed)

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